

Panaji, 21st June, 1979 (Jyaistha 31, 1901)

SERIES II No. 12

OFFICIAL



GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN
AND DIU

Department of Personnel and Administrative Reforms

Directorate of Vigilance

Memorandum

No. 1-4-78-VIG/Vol. II

Shri S. M. Naik, Management Analyst is nominated as "Vigilance Officer" for all Departments of the Secretariat vice Shri P. V. Noronha nominated earlier as Vigilance Officer under Memo No. 1-4-78-VIG dated 30-6-1978.

M. N. Bhartiya, Deputy Director (Vigilance).

Panaji, 11th June, 1979.

Home Department (General)

Order

No. HD-10-1563/68

Read: Order No. HD-10-8480/63-E dated 6-11-1967

In place of Chief Minister of Goa, Daman and Diu as Chairman appearing at serial no. 1 of para 1, the following shall be substituted:

"The Lt. Governor of Goa, Daman and Diu".

2. Further, Government is pleased to decide that the Committee shall meet once in a year.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. B. Verekar, Under Secretary (Home).

Panaji, 14th June, 1979.

Notification

No. HD-G-45-2/77-Prisons

Read: (i) Government Notification No. HD-G-45-2/77 Prisons, dated 21-11-1977.

(ii) Government Notification No. HD(G)-45-2/77 Prisons, dated 30-3-78.

The Government of Goa, Daman and Diu is hereby pleased to reconstitute the State Advisory Board for Correctional Administration, constituted under the Government Notification dated 21-11-1977, as under:—

1. Secretary (Revenue) — Chairman.
2. Secretary (Industries & Labour) — Member.

3. Inspector General of Police (as representative of the Police Administration) — Member.
4. District and Sessions Judge (as representative of administration of Justice) — Member.
5. District Magistrate-cum-Inspector General of Prisons — Member.
6. Chief Engineer, P. W. D. Altinho, Panaji — Member.
7. Director of Agriculture, Panaji — Member.
8. Director of Health Services, Panaji — Member.
9. Director of Education, Panaji — Member.
10. Director of Industries & Mines, Panaji — Member.
11. Probation Officer, Panaji — Member.
12. Miss Leonor Rangel Ribeiro, Acdil Porvorim, Bardez, Goa — Member.
13. Shri Nagindas Hiralal Thakkar, Thakkar House, Vasco-da-Gama. — Member.
14. Dr. S. D. Sharma, Professor of Psychiatry, Goa Medical College, Panaji — Member.
15. Prof. S. R. Phal, Lecturer in Sociology, Centre of Post-Graduate Instruction and Research "Susheela", 18th June Road, Panaji, Goa — Member.
16. Director of Social Welfare, Panaji — Member.

2. The functions of the Board shall be:—

- i) To advise regarding Prevention, Control and treatment of delinquency and crime.
- ii) To suggest ways and means for improving levels of coordination between Administration of Justice, Police Administration and Correctional Administration.
- iii) To suggest measures for creating social consciousness for the rehabilitation of offenders.
- iv) To find out the solution of the practical difficulties experienced by the Jail staff and other officers of Correctional Administration.
- v) To introduce Prison reforms with proper coordination among the concerned Department.
- vi) To watch the development of Prison Administration into a system of Correctional Administration.
- vii) How to introduce various correctional methods in the prisons so that the prisoners on their release from Jail go out as better men who have been conscious about their potentialities of being socially useful.
- viii) To approve and suggest the Post-Release Programme and to provide employment opportunities to needy and deserving prisoners on release.
- ix) To see the application of case work in various fields of social work.

- x) To arrange the re-orientation of prison-staff to facilitate human understanding, as the staff members are not aware of modern methods of handling prisoner or of the purpose of Jail reforms.
- xi) To find out whether good standards of Administration have been reached.
- xii) How to further improve the existing standards.

3. The Government is also pleased to decide that the Board should meet thrice in a year.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. B. Verekar, Under Secretary (Home).

Panaji, 11th June, 1979.

Notification

No. HD/G/45/59/575/66 (Vol. II)

Read:—Notification No. HD/G/59/595/66 dated 16th March, 1978.

In place of Chief Minister of Goa, Daman and Diu as Chairman, appearing at serial No. 1 of para 1, the following shall be substituted:—

"The Administrator of Goa, Daman and Diu".

2. Further, the Government is pleased to decide that the Board shall meet twice in a year.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. B. Verekar, Under Secretary (Home).

Panaji, 14th June, 1979.

Works, Education and Tourism Department

Order

No. WET/DSCA/1-14/77/85

Read:—Government order of even number dated 3-1-1978.

The State Welfare Board for Non-Student Youth in the Territory of Goa, Daman and Diu constituted by Government's order quoted above is wound up with immediate effect.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary, Works, Education and Tourism.

Panaji, 15th June, 1979.

Public Works Department

Office of the Chief Engineer

Order

No. PWD/Estt/122/79

Shri C. G. Hede, Superintending Engineer, Circle Office V (PHE), PWD, Panaji is hereby transferred to the post of Superintending Engineer (Mech./Elect.), P.W.D., Panaji, with immediate effect, in the interest of public service.

In addition to his own duties he will look after the duties of Superintending Engineer V (P.H.E.), till the post is filled.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

C. G. Desai, Chief Engineer, P.W.D., and Ex-Officio Addl. Secretary to the Government.

Panaji, 16th June, 1979.

Order

No. PWD/Estt/134/79

The following transfers of Executive Engineers, are hereby ordered with immediate effect, in the interest of public service:—

Sr. No.	Name	From	To
1.	Shri S. P. Khadilker	Works Division XXIII (Investigation and collection of data of Roads and Buildings), P.W.D., Panaji.	Works Division XVI (Minor Irrigation, South), P.W.D., Margao vice Shri P. Kondala Rao.
2.	Shri P. Kondala Rao	Works Division XVI (Minor Irrigation, South), P.W.D., Margao.	Works Division XXIII (Investigation and Collection of data of Roads and Buildings, P.W.D., Panaji, vice Shri S. P. Khadilker.

Shri S. P. Khadilker should move first by handing over the charge to Shri S. Y. Kharangate, Executive Engineer, Works Division I, P.W.D., Panaji.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

C. G. Desai, Chief Engineer, P.W.D., and Ex-Officio Addl. Secretary to the Government.

Panaji, 16th June, 1979.

Forest and Agriculture Department

Notification

No. 13-1-78 AH

On review of the existing Boards/Committees, the Government is pleased to wind up the High Power Review Committee

on Animal Husbandry Programmes constituted under Government Notification No. 1-2-76 AH dated 18th August, 1977.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (Forest & Agriculture).

Panaji, 12th June, 1979.

Local Administration and Welfare Department

Notification

No. CDB/Coop/942/72-79

Read: Govt. Notification No. CDB/Coop/942/72, dated 22nd March, 1973.

In consequence upon the dissolution of the Legislative Assembly the Government is pleased to reconstitute the State Advisory Co-operative Council for the Union Territory of Goa, Daman and Diu constituted under above Not. as under:

1. Chief Secretary — Chairman.
2. Secretary (Revenue) — Member.
3. Development Commissioner — Member.
4. Finance Secretary — Member.
5. Director of Agriculture — Member.
6. Director of Industries — Member.
7. Director of Fisheries — Member.
8. Director of Animal Husbandry & Vet. Services — Member.
9. Project Officer, MFAL Development Agency Goa — Member.
10. Representative of Goa, State Co-op. Bank — Member.
11. Representative of Goa Urban Co-op. Bank — Member.
12. Representative of Mapusa Urban Co-op. Bank — Member.
13. Representative of Goa, Co-op. Fisheries Federation — Member.
14. Representative of Goa Central Co-op. Consumers Stores Ltd. — Member.
15. Representative of Goa Jilla Sahakari Dudh V. Sangh Ltd. — Member.
16. Representative of Sanjivani S. S. Karthana Ltd. — Member.
17. Representative of Central Supari Sah. K. & Vikri Society Ltd. — Member.
18. Representative of Mormugao Motor Transport Coop. Society Ltd. — Member.
19. Representative of Janata Industrial Coop. Society Ltd. — Member.
20. Shri Javabhai Sidi, Secretary Vanakabar Grahak Sahakar Bhandar Ltd. — Member.
21. Registrar of Co-op. Societies. — Member-Secretary.

The functions of the above Council will be as under:

- i) to advise the State Government on all general questions relating to cooperative movement.
- ii) to review the cooperative movement and to suggest ways of coordinating the activities of cooperative societies in the State.
- iii) to suggest ways and means to remove the difficulties experienced by the cooperative societies in the State in their Administration.
- iv) to make suo moto recommendations to the State Government in regard to any matter relating to the Administration of Coop. Societies, and
- v) to report to the State Government on such matters as may be referred to it by the State Government for its opinion.

The Advisory Council shall ordinarily meet once in a year. However, it may hold extraordinary meetings when special and important matters so justify.

Any person appointed as member in the Advisory Council in his non-official capacity or with his present status shall automatically cease to be a member of the Advisory Council if he ceases to hold such position.

The said Advisory Council may also associate in its deliberations on subjects of any special or technical nature, persons of recognised expertise, as special invitees.

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 7th June, 1979.

Notification

No. 4-46-76-UDD

In continuation of this Department's Notification No. 4-46-76-UDD, dated 30th January, 1979 and 5th March, 1979, the Government of Goa, Daman and Diu is pleased to appoint on deputation Shri N. Pandalai, Associate Town Planner in Town and Country Planning Department, Panaji, as Town Planning Officer/Member Secretary of Panaji Planning and Development Authority.

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 14th June, 1979.

Notification

No. 2-80/75/FCS-LAWD/Vol. II

In pursuance of clause 10 of the Goa, Daman and Diu Essential Articles (Non-foodstuff) Price (Display and Control) Order, 1979, the Administrator of Goa, Daman and Diu hereby authorises the Officers specified in column 2 of the Schedule appended hereto for the purposes specified in clause 10 of the said Order, 1979, for the areas specified against them in column 3 of the Schedule.

SCHEDULE

Sr. No.	Officer	Area for which authorised
1.	2.	3.
1.	Director/Dy. Director of Civil Supplies and Price Control, Panaji.	Throughout the Union Territory of Goa, Daman and Diu.
2.	Collector of Daman.	Daman.
3.	Civil Administrator of Diu.	Diu.
4.	Mamlatdars of Talukas.	Within their respective jurisdiction.
5.	Inspectors/Sub-Inspectors/Assistant Inspectors of Civil Supplies.	Within their respective jurisdiction.
6.	All Police Officers not below the rank of Sub-Inspectors.	Within their respective jurisdiction.

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 16th June, 1979.

Office of the Registrar of Cooperative Societies

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Co-op. Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, the Hillside Apartment Co-op. Housing Society Ltd., Panaji is registered under code symbol No. HSG-(a)-72/Goa.

V. P. Prabhu, Asstt. Registrar of Co-op. Societies, Central Zone, Panaji.

Panaji, 19th May, 1979.

Revenue Department

Notification

No. RD/LQN/147/79

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of Government Primary School Building at Sakale-Gavane-Ponda:

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

sation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector (L.A.O.) Collectorate, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

- 1. The Collector of Goa, Panaji.
- 2. The Deputy Collector (L.A.O.) Collectorate, Panaji.
- 3. The Director of Education, Panaji.
- 4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector Goa South Division, Margao, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Ponda	Bandora	—	186/0	O: 1. Avayang Raghoba Naik, Gaonekar. 2. Nagoji Sadashiv P. Dessai. 3. Narendra N. Naik Gaonkar. 4. Manguesh Datta Sinai Kakodkar. Boundaries: North: S. No. 186. South: Road S. No. 186. East: S. No. 186. West: S. No. 186.	1,050.00
Total						1,050.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 28th May, 1979.

Notification

No. RD/LQN/176/79

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for Stackyard at Curti.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector (L.A.O.) Collectorate, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

- 1. The Collector of Goa, Panaji.
- 2. The Deputy Collector (L.A.O.) Collectorate, Panaji.
- 3. The Superintending Engineer, Circle V (PHE) Panaji.
- 4. The Executive Engineer, Works Division III (PHE), Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector (L.A.O.) Collectorate Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Ponda	Curti	—	78	O: 1. Madhav Atmaram Sahakari. 2. Bala Atmaram Sahakari. 3. Ashok A. Sahakari. 4. Krishna A. Sahakari. Boundaries: North: Road (National Highway). South: Nala. East: Property of Pandurang Govind Tilve. West: Nala.	15,000.00
Total						15,000.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 28th May, 1979.

Notification

No. RD/LQN/181/79

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Access road for Industrial Estate at Corlim-Tiswadi.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector (L.A.O.) Collectorate, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector (L.A.O.) Collectorate, Panaji.
3. The Deputy Chief Executive Officer, Industrial Development Corporation, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector (L.A.O.) Collectorate Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Tiswadi	Corlim	—	18 Part	O: Souza Processes Pvt. Ltd.	1,040.00
2.	— do —	— do —	—	23 Part	H: Vinayak H. Bandekar.	1,125.00
Boundaries: North: Survey No. 18 and 23. South: Survey No. 19 and Road. East: Survey No. 23 and 19. West: Survey No. 18.						
Total						2,165.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 28th May, 1979.

Notification

No. RD/LQN/12/79

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of road from Pontemol School to Pontemol Village, Quepem.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Deputy Collector, Goa South Division, Margao, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Superintending Engineer, Circle II, P. W. D., Panaji.
3. The Executive Engineer, Works Division VI, P. W. D., Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Additional Deputy Collector, Goa South Division, Margao, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Quepem	Curchorem	1	130/2	H: Comunidade of Curchorem. <i>Boundaries:</i> North: Comunidade of Curchorem Survey No. 130/2. South: Road. East: Comunidade of Curchorem Survey No. 130/18. West: Comunidade of Curchorem Survey No. 130/3.	2.00
2.	— do —	— do —	2	130/3	H: Comunidade of Curchorem. T: Shri Salvador Fernandes, Curchorem. <i>Boundaries:</i> North: Comunidade of Curchorem Survey No. 130/3. South: Road. East: Comunidade of Curchorem. West: Nala.	9.00
3.	— do —	— do —	3	130/18	H: Comunidade of Curchorem. T: Shri Salvador Fernandes, Curchorem. <i>Boundaries:</i> North: Comunidade of Curchorem, Survey No. 130/18. South: Road. East: Shri Luis Teles da Silva, Survey No. 127/1. West: Comunidade of Curchorem, Survey No. 130/2.	32.00
4.	— do —	— do —	4	129/2	H: Comunidade of Curchorem. T: Shri Caetan Fernandes, Pontemol. <i>Boundaries:</i> North: Road. South: Comunidade of Curchorem, Survey No. 129/2. East: Luis Teles da Silva. West: Nala.	45.00
5.	— do —	— do —	5	127/1	H: Shri Luis Teles da Silva, Loutulim, Salcete. T: Shri Narayan Sukdo Naik, Pontemol, Curchorem. <i>Boundaries:</i> North: Shri Luis Teles da Silva Survey No. 127/1. South: Road. East: Shri Luis Teles da Silva. West: Comunidade of Curchorem.	107.00
6.	— do —	— do —	6	127/4	H: Shri Luis Teles da Silva. T: Shri Narayan Sukdo Naik. <i>Boundaries:</i> North: Shri Luis Teles da Silva. South: Road. East: Shri Luis Teles da Silva, Survey No. 118/2. West: Shri Luis Teles da Silva, Survey No. 127/1.	61.00

1	2	3	4	5	6	7
7.	Quepem	Curchozem	7	128/-	H: Shri Luis Teles da Silva. <i>Boundaries:</i> North: Road. South: Shri Luis Teles da Silva Survey No. 118/2. East: Road. West: Comunidade of Curchozem, Survey No. 129/2.	239.00
8.	— do —	— do —	8	118/2	H: Shri Luis Teles da Silva. <i>Boundaries:</i> North: Shri Luis Teles da Silva Survey No. 118/2. South: Road. East: Shri Luis Teles da Silva Survey No. 125/1. West: Shri Luis Teles da Silva Survey No. 127/4.	1,155.00
9.	— do —	— do —	9	125/1	H: Shri Luis Teles da Silva, S. No. 125/1. T: Shri Arjun Fadte. <i>Boundaries:</i> North: Shri Luis Teles da Silva Survey No. 125/1. South: Boundaries of Cacora. East: Shri Valno Naik. West: Shri Luis Teles da Silva.	300.00
10.	— do —	— do —	10	125/2	H: Shri Valno Naik, Mirabag. T: Shri Datta Naik, Mirabag. <i>Boundaries:</i> North: Shri Valno Naik, S. No. 125/2. South: Boundaries of Cacora. East: Shri Valno Naik. West: Shri Luis Teles da Silva.	125.00
11.	— do —	— do —	11	125/3	H: Shri Valno Naik, Mirabag. S: Shri Babusso Naik. <i>Boundaries:</i> North: Shri Valno Naik. South: Boundaries of Cacora. East: Shri Gaurihar Kakodkar. West: Shri Valno Naik.	82.00
12.	— do —	— do —	12	125/4	H: Shri Gaurihar Kakodkar. T: Shri Arjun Fadte. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: Boundaries of Cacora. East: Shri Valno Naik. West: — do —	200.00
13.	— do —	— do —	13	125/5	H: Shri Valno Naik. T: Shri Datta Naik. <i>Boundaries:</i> North: Shri Valno Naik. South: Boundaries of Cacora. East: Shri Valno Naik. West: Shri Gaurihar Kakodkar.	75.00
14.	— do —	— do —	14	125/6	H: Shri Valno Naik. T: Shri Vasu Naik. <i>Boundaries:</i> North: Shri Valno Naik. South: Boundaries of Cacora. East: Shri Gaurihar Kakodkar. West: Shri Valno Naik.	140.00
15.	— do —	— do —	15	125/7	H: Shri Gaurihar Kakodkar. T: Shri Babuso Naik. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: Boundaries of Cacora. East: Shri Valno Naik. West: — do —	173.00
16.	— do —	— do —	16	125/8	H: Shri Valno Naik. T: Shri Vasu Naik. <i>Boundaries:</i> North: Shri Valno Naik. South: Boundaries of Cacora. East: Shri Gaurihar Kakodkar. West: — do —	150.00

1	2	3	4	5	6	7
17.	Quepem	Curchorem	17	125/9	H: Shri Gaurihar Kakodkar. T: Shri Arjun Fadte. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: Boundaries of Cacora. East: Shri Gaurihar Kakodkar. West: Shri Valno Naik.	220.00
18.	— do —	— do —	18	121/10	H: Shri Gaurihar Kakodkar. T: Shri Arjun Fadte. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: — do — East: — do — West: — do —	61.00
19.	— do —	— do —	19	121/11	H: Shri Gaurihar Kakodkar. T: Shri Datta Naik. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: — do — East: — do — West: — do —	34.00
20.	— do —	— do —	20	121/12	H: Gaurihar Kakodkar. T: Shri Vishnu Naik. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: — do — East: — do — West: — do —	12.00
21.	— do —	— do —	21	121/7	H: Shri Gaurihar Kakodkar. T: Shri Babuso Naik. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: No Owner. East: Shri Gaurihar Kakodkar. West: — do —	192.00
22.	— do —	— do —	22	121/13	H: Shri Dinkar Krishna Kakodkar. T: Smt. Barkoli Babusso Naik. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: No Owner. East: — do — West: Shri Gaurihar Kakodkar.	50.00
23.	— do —	— do —	23	121/14	H: Shri Gaurihar Kakodkar. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: — do — East: — do — West: — do —	17.00
24.	— do —	— do —	24	121/9	H: Shri Gaurihar Kakodkar. <i>Boundaries:</i> North: Shri Gaurihar Kakodkar. South: No Owner. East: Shri Remmy Colaco. West: Shri Gaurihar Kakodkar.	230.00
25.	— do —	— do —	25	119/9	H: Shri Remmy Colaco. <i>Boundaries:</i> North: Shri Remmy Colaco. South: Shri Ranga Sanvordenkar. East: Shri Victoriano Rodrigues. West: Shri Gaurihar Kakodkar.	100.00
26.	— do —	— do —	26	119/10	H: Shri Victoriano Rodrigues. <i>Boundaries:</i> North: Shri Victoriano Rodrigues. South: Shri Ranga Sanvordenkar. East: Shri Felix Esmeraldo Dias. West: Shri Remmy Colaco.	186.00

1	2	3	4	5	6	7
27.	Quepem	Curchoren	27	119/11	H : Shri Felix Esmeralda Dias. <i>Boundaries:</i> North: Shri Felix Esmeralda Dias. South: Shri Ranga Sanvordenkar. East: Shri Felix Esmeralda Dias. West: Shri Victoriano Rodrigues.	266.00
28.	— do —	— do —	28	119/13	H: Shri Ranga Sanvordenkar. <i>Boundaries:</i> North: Shri Remmy Colaco. Shri Victoriano Rodrigues. Shri Felix Esmeralda Dias. South: Shri Ranga Sanvordenkar. East: — do — West: Shri Gaurihar Kakodkar.	360.00
Total						4,623.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 26th May, 1979.

Notification

No. RD/LQN/149/78

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of Bhandarwad Dubarwad Road at Kathiria, Nani Daman.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the

said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Collector of Daman, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Daman.

2. The Chief Officer, Daman Municipal Council, Daman.

6. A rough plan of the said land is available for inspection in the office of the Collector of Daman, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Daman	Kathiria, Nani Daman	142/PTS/23	—	1. Ratan Kuvaria Halpati. 2. Swami Kuvaria Halpati.	74.00
2.	"	"	131/PTS/23	—	1. Govan Prema Bhandari. 2. Nandiben Haribhai Bhandari. 3. Bhana Chibad Bhandari. 4. Bava Chibad Bhandari.	73.00
3.	"	"	151/PTS/23	—	1. Soma Haribhai Tandel. 2. Ramiben Ravia Tandel. 3. Dhanji Ranchod Tandel.	42.00
Total						189.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 28th May, 1979.

Notification

No. RD/LQN/146/79

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of approach road under Tribal Sub Plan in tribal area of Village Devka, Nani Daman.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

sation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Collector of Daman, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Daman, Daman.
2. The Executive Engineer, P.W.D., W. D. VII, Daman.

6. A rough plan of the said land is available for inspection in the office of the Collector of Daman, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Survey No.	Plot No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Daman	Devka	—	44	Kasham Aliji.	109.82
2.	— do —	— do —	—	49	Mohmad Musa Patel.	139.69
3.	— do —	— do —	—	61	Kasam Aliji.	261.83
4.	— do —	— do —	—	43	Mohmad Musa.	1.00
5.	— do —	— do —	13/1	—	Musabhai Aliji.	19.00
Total						531.34

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 28th May, 1979.

Notification

No. RD/LQN/179/79

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of reservoir for extension of water supply net work of Assonora water works to Bastora Scheme.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector (L.A.O.) Collectorate, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector (L.A.O.), Collectorate, Panaji.
3. The Superintending Engineer, Circle V (PHE), Panaji.
4. The Executive Engineer, Works Division XVII (PHE), Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector (L.A.O.) Collectorate, Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Bardez	Bastora	—	99/4	O: Comunidade of Bastora. <i>Boundaries:</i> North: Survey No. 99. South: — do — East: — do — West: — do —	625.00
Total						625.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 28th May, 1979.

Notification

No. RD/LQN/174/79

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for extension of 6 rooms to the Govt. Primary School Building at Guirim Namoxim.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing com-

pensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector Goa, North Division, Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector, Goa North Division, Panaji.
3. The Director of Education, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector Goa, North Division, Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Bardez	Guirim	—	77	H: Shri Thomas Xavier D'Souza. Smt. Natalina Fernandes. Shri Alexandra Caetano Nazareth. Shri Krishna V. Palienkar. <i>Boundaries:</i> North: Road. West: Road. East: Sub Division No. 4 of Survey No. 77. South: Sub Division No. 15, Survey No. 77.	575.00
Total						575.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 28th May, 1979.

Industries and Labour Department

Order

No. IRM/CON/(95)/78

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an Industrial dispute exists between the employers in relation to the Management of M/s. Goa Bottling

Co. Pvt. Ltd., Margao, Goa, and their workman Shri Pradeep Sardesai, represented by the Goa Shops and Industrial Workers' Union, Margao, in respect of the matters specified in the Schedule hereto annexed (hereinafter referred to as the "said dispute").

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal, Goa, Daman and Diu, constituted under section 7-A of the said Act.

SCHEDULE

"Whether the action of the management of M/s. Goa Bottling Co. Pvt. Ltd. Margao in retrenching the services of Shri Pradeep Sardesai, Clerk, w. e. f. 16-5-1978 is legal and justified?"

If the answer be in the negative, to what relief if any, is the aforementioned workman entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

M. S. Sail, Under Secretary, Industries and Labour.

Panaji, 11th June, 1979.

Order

No. ILD/3051/79

The following Award given by the Industrial Tribunal, Goa, Daman and Diu in an Industrial dispute between the management of M/s. Roger Cabral and their workman Shri Ramesh V. Shirodkar, Driver, is hereby published as required under the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary, Industries and Labour.

Panaji, 30th May, 1979.

Before Shri R. V. Kollali, Presiding Officer,
Industrial Tribunal cum Labour Court,
Government of Goa, Daman and Diu.
Panaji-Goa

Reference No. IT/21/75

Shri Ramesh V. Shirodkar, Driver, Ribandar,
Fondvem, Panaji, Goa 1st party

V/s.

M/s. Roger Cabral, Truck Owner, Dona Paula,
Caranzalem, Goa 2nd Party

The Government of Goa, Daman and Diu, referred the dispute concerning the termination of the service of the workman by his employer for adjudication setting out the following schedule.

SCHEDULE

"Whether the termination of services of Shri Ramesh V. Shirodkar, Driver, with effect from 23-11-1974 by Shri Roger Cabral, Truck Owner, Dona Paula, Caranzalem, Goa, is legal and justified?"

If not, to what relief the workman is entitled to?"

By the claim statement, the workman stated that he joined the employer's service as a Truck driver in or about 1970 and had put in about five years service and was on a pay of Rs. 300/- per month; that out of the pay Rs. 25/- per month were deducted by the employer for depositing in Baroda Bank Account No. 2799, an account which was opened by the employer himself on 12-1-71 for making the monthly deposits; on or about 22-11-74 the employer terminated the services of the workman without any reasons, illegally wrongfully and without giving any opportunity and in a dictatorial manner; the workman went to the employer on the next day but was refused work; the Pass book was not returned; a gold strap belonging to the workman was with the employer which was also not returned; a letter was written on these matters to the employer on 1-12-74 which was not even replied to; by a letter of 7-1-75, reinstatement was asked for along with continuity of service and full back wages, but the employer ignored

this letter also, and that the workman was entitled to reinstatement with full back wages and for payment of Rs. 1160/- in respect of the deduction for depositing in Bank and for the return of the Gold strap.

By the written statement the employer denied the deduction of Rs. 25/- per month or the opening of the account No. 2799; the workman was paid Rs. 225/- per month for the first three years and when the truck was permitted to ply to Bombay and back, the pay was raised to Rs. 300/-; after seeing the extravagant habits of the workman, the employer had suggested to the workman that he should save Rs. 25/- per month by opening a bank account and the workman fell in with the suggestion and opened the account; that it was not for the employer to make any deposits in the account but the idea of saving was instilled into the mind of the workman; the salary was being paid regularly and fully each month; no deductions had been made by the employer out of the salary of the workman; in the third week of November 1974 the workman returned from Bombay with cargo which was found to be damaged and also in shortage; the information given by the workman was that he had accepted the cargo in damaged condition for transport voluntarily contrary to the instructions of the employer and as to shortages, the workman gave evasive replies & threatened to abandon the service and went away and never returned for duty; Carmo Azavedo and cleaner Anant were present when this incident took place, the next day the workman came and took his entire salary for November and went away openly saying that he was abandoning service; no gold strap of the workman was with the employer; in any event, it cannot be relevant in the present dispute and would be beyond the jurisdiction of this Tribunal; the letters were not replied to as the employer was not bound to do so; there has been no termination of service at all; because of abandonment of service by the workman, the employer had to sell away the truck on 15-8-75 i.e. within one year of the abandonment of service and hence the workman was not entitled to any relief.

The workman during his statement stated that the employer, the workman and the cleaner had gone to Bombay with the Truck which left Bombay on or about 19-11-74 loaded with 7 packages of milk tins among other goods; by about 6.00 p. m. of 20-11-74, they reached Mapusa and some goods were delivered there, the employer keeping the delivery slips with him and then the truck reached Panjim and was halted near the employers house for the night, it being too late to deliver the goods; the next morning the truck was found near the bus stand, having been driven by the employer and at that stage the workman took over and drove the bus to the bazar area for delivering the milk tins; and when the packages were being unloaded at the godown of the consignee they were found to have been opened and the contents short in number; the consignee refused to pay the transport charges in view of the damaged condition of the packages and shortages till he could check up with the Bombay supplier; this led to a show of temper by the 2nd party and exchange of hot words with the consignee and the 2nd party told the workman to press for payment of transport charges; when the workman went to the consignee, the latter said that he was ready to give a writing about the matter but would not pay; when this was reported to the employer, the latter asked the former to go away and not to come back; the next day the workman again went but was asked to go away and that thereafter on 1-12-74, Exh. W1 was addressed to the employer.

The workman also said that Rs. 25/- per month were being deducted out of his salary by the employer and deposited in Bank account No. 2799, the pass book remaining with the employer; a few days prior to 22-11-74 while attending to a puncture in one of the wheels of the truck, he took out his gold watch strap and gave to the employer for holding during the repairing of the puncture and this has not been returned; at no time was any charge brought against him by the employer and the workman never told the employer that he would give up the job of employer.

In cross examination, he denied suggestions about the employer's versions. He also said that he had checked the consignments at Bombay when they were loaded and they had been in good conditions. He denied that he alone went to the consignee for delivering the cartons and thereafter only reported to the employer about the shortages and could not explain and left the job. He denied the suggestion that the employer was not present during the trip to and fro Bombay.

The employer stated that he paid the entire salary to the workman and never kept Rs. 25/- with him for depositing in

the Bank; the workman became indifferent and inefficient when he started operating on the Bombay trips and hence in the initial stages the employer had to go with him on the Bombay trips; in November, 1974, the workman delivered the goods to various goods to the consignees and then gave accounts of the trip when some outstandings were noticed; the employer asked the workman to collect the outstanding charges also; the workman failed to do so; then the employer went to the consignee of the milk cartons who refused to pay because of damaged condition and shortage of the tins; then the employer questioned and scolded the workman for shortages and threatened to recover the loss from his salary; the workman then did not come for work for a day or two and thereafter came with another substitute driver and the employer paid the workman thinking that he would come to work after sometime, a thing which the workman had done on some former occasions; but the workman never turned in spite of several messages and finally the employer was compelled to sell the truck on 15-8-75; in March 1976 he bought another truck; it was not true that he took the gold strap from the workman.

In cross examination, he stated there were no vouchers for salary and daily allowances paid to the workman; the salary for November, 1974 has been paid but there is no voucher or other evidence; he denied that the gold strap was given to him while the workman attended to a puncture in a wheel; he also denied the deduction of Rs. 25/- for depositing in the Bank account; he denied that the truck had been stationed near his house at night before the milk consignment was sought to be delivered as the truck was being left at the driver's place whenever overnight stay was necessary; the workman used to stay in Ribandar; it was the cleaner's duty to look after the truck during the night; the driver used to report to him only after delivering the goods to various consignees; and that he did not remove the workman from service.

MW2 is the purchaser of truck from the 2nd party and no documents as to transfer of ownership of the truck were made out in his favour and he sold the truck to some other party and the documents were made out in the name of the transferee from him.

That is all the oral evidence in the case. As far as documentary evidence is concerned, there are only Exh. W1 & W2 dated 1-12-74 and 7-1-1975 which are letters written by the workman to the employer.

Exh. W1 very clearly states that for no fault of the writer (i. e. workman) the employer got annoyed on 22-11-74 and told the workman, to leave the job and that in spite of repeated pleas by the workman, the employer was adamant and refused to allow the workman to work and that a demand for the bank pass-book was also made but turned down. The letter also refers to the gold strap and ends with a request for the return of the bank pass-book and the gold strap. Exh. W2 sets out that the termination of service without assigning reasons and without notice pay was illegal, wrongful & unjustified and makes a demand for reinstatement with continuity of service and full back wages. A copy of Exh. W2 was sent to the Commissioner for Labour & Employment with a request for taking action.

In the written statement the employer contended that when the incident at the shop of Pankar, the consignee of the milk cartons, took place, Carmo Azavedo and cleaner Anant were present. These two persons have not been examined. When a party does not examine independent persons in support of his case and rests content on his own statement, his case becomes a bit weak. There are two other circumstances in this case which do no credit to the employer's case. He is an employer who has taken no vouchers and kept no record about his business. It is difficult to believe that he has not kept any accounts in writing about the business carried on by him. The second circumstance is

that he has kept quite even after receiving Exh. W1 and W2 without controverting the basis of the claim made against him. The argument was that he was not bound to reply and hence no adverse inference be drawn. But when definite claim is made against him, giving a certain account of the incidents and he keeps quite till he is required to meet the case in adjudication, he will have to establish his case by clear and acceptable evidence and by exhibiting a pattern of behaviour and conduct of his business and affairs in an unassailable way. Where all that can be urged by him is "my oath is as good as the other man's", keeping quite and taking no action after a claim is made against him would be a circumstance that would tilt the scale against him. It was also urged that in Exh. W1 no reinstatement had been claimed because the workman had voluntarily abandoned the service. It cannot mean that all. It is clear that Exh. W1 written within a few days of the incident was for demanding money dues and the passbook. In any case, Exh. W2 does claim reinstatement and the claim was made very much before the 2nd party started pleading abandonment. It is difficult to believe that a loaded truck would be kept near the driver's house at night.

For these reasons, the Tribunal accepts the case of the workman in regard to the deduction of Rs. 25/- per month and reinstatement in service with continuity of service. The incident of the Gold strap is in no way connected with the dispute about termination which is the subject matter of the reference. By no stretch of imagination can the incident of the Gold strap be considered as being incidental to the point referred for adjudication. This Tribunal has no jurisdiction upon every dispute or quarrel between an employee and his employer. Therefore, no relief is being given to the workman in respect of the gold strap.

In the matter of back wages, the Tribunal takes into account the statement of the workman that he is getting Rs. 200/- per month plus food since about a year after 23-11-74. At another time he has stated it was after more than a year that he found the other job. An attempt was made by the employer to show that the workman was driving the "ENO" Van. It has been denied and there is no evidence to support the suggestion. From November, 1975, back wages at Rs. 50/- per month would meet the ends of justice. There will be full back wages at Rs. 300/- per month from November, 1974 to end of October, 1975. In regard to the amount of Rs. 25/- per month, the actual state of the back account will be taken to fix the employer's liability by deducting it from Rs. 1150/-. This last figure cannot be Rs. 1160/- as claimed by the workman since 1160 is not a multiple of 25. The following award is passed.

AWARD

The workman Shri Ramesh Vasudev Shirodkar shall be reinstated by the employer Shri Roger Jacinto Cabral immediately with continuity of service. The workman will also be entitled to get Rs. 300/- per month for 12 months from November, 1974 to October, 1975 and at Rs. 50/- per month from November, 1975 till reinstatement from the employer. The employer shall also pay the workman such amount as may be necessary for making up a total of Rs. 1150/- after taking into account the exact balance in Bank of Baroda account No. 2799. The workman can obtain a duplicate of the Bank Pass-Book, as he is the holder of the account, for showing the balance in the amount for working out the exact liability of the employer.

No relief is given in regard to the claim for return of gold strap.

R. V. Kollali,
Presiding Officer

Panaji, 28th February, 1979.